IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE THIRTIETH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO : 18787 of 1994

Between:

K.V.S. Suryanarayana Murt S/o late Sri Kesanna
Industrial Tribunal-cum-Labour Court, Visakhapatnam

..... PETITIONER

AND

1 The State of A.P. rep. by Secretary to Govt.
General Administration Dept. Secretariat Buildings,
Hyderabad
2 The State of A.P. rep. by Ex-Officio Secretary to Govt.
Women's Dev. Child Welfare & Labour Dept. Secretariat Buildings,
Hyderabad
3 The State of A.P. rep. by Spl. Secretary to Govt.
Finance & Planning (FW-PRC.I) Dept. Secretariat Buildings,
Hyderabad
4 The Pay & Accounts Officer (G.II Section), M.J. Road, Hyderabad
5 The District Treasury Officer Visakhapatnam Dist.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ of Mandamus or any other appropriate Writ or Order or Direction, declaring the G.O.Ms.No.223, Finance & Planning (FW.PRC.I) Dept. dt; 29-8-1988, as illegal, void and unconstitutional and to direct the Respondents to pay of the petitioner's Pay Scale of Rs.5000-6200 and the Special Pay of Rs.250/-,as per the Revised Pay Scale in G.O.Ms.No.288, Finance & Planning (FW.PRC.I) Dept. dt: 17-11-1986 to the petitioner from the date he assued the charge of the post of Chairman, Industrial Tribunal or Chiarman-cum-Presiding Officer, Industrial Tribunal-cum-Labour, Vizag.

Counsel for the Petitioner: MR.V.PREETI REDDY

Counsel for the Respondents: GP FOR FINANCE & PLANNING

The Court made the following :

ORDER:

It is submitted both by Sri V.Rajagopal Reddi, learned Counsel for the petitioner and the Government Pleader for Finance &Planning that the subject matter of this writ petition is covered by the judgment of this Court in "G.Krishnarao, Sessions Judge, presently working as Chairman, Industrial Tribunal, Hyderabad and others Vs. State of Andhra Pradesh represented by its Secretary, Government of Andhra Pradesh, General Administration Department, Hyderabad and others" (W.P.No.12935 of 1992 and Batch, dated 23.1.1996) (reported in 1996(1) An.W.R.269).

This writ petition is allowed in terms of the aforesaid judgment and the impugned G.O.Ms.No.223, Finance and Planning (F.W-PRC-1) Department, dated 28.08.1998 is quashed. There shall be no order as to costs. However, this order shall not be construed, as the petitioner having been promoted to Grade-I District Judge the moment they are posted as Chairmen in the Industrial Tribunal. It is also made clear that as long as they function as Chairmen, Industrial Tribunal, they are entitled for the scale of pay attached to the said post.

(RAMESH RANGANATHAN, J)

Dated:30.06.2005

MRKR

That Rule Nisi has been made absolute as above.

Witness the Hon'ble Sri Bilal Nazki, Acting Chief Justice on this Thursday, the Thirtieth Day of June Two Thousand and Five.

REGISTRAR.

To

1 The State of A.P. rep. by Secretary to Govt.
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Hyderabad
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5 The District Treasury Officer Visakhapatnam Dist.

6 Two C.Cs to the Government Pleader for Finance & Planning, High Court Buildings, Hyderabad.

7 Two C.D.copies.

*Form-NIC-OGS/WP{**BMD**}*